

HOUSE No. 2800

The Commonwealth of Massachusetts

PRESENTED BY:

Robert M. Koczera

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Amending the Historical Rehabilitation Tax Credit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert M. Koczera	11th Bristol
Antonio F.D. Cabral	13th Bristol
Christine E. Canavan	10th Plymouth
Stephen R. Canessa	12th Bristol
James H. Fagan	3rd Bristol
Patricia A. Haddad	5th Bristol
John D. Keenan	7th Essex
William Lantigua	16th Essex
David B. Sullivan	6th Bristol
Joseph F. Wagner	8th Hampden
Gale D. Candaras	First Hampden and Hampshire
Michael R. Knapik	Second Hampden and Hampshire

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AMENDING THE HISTORICAL REHABILITATION TAX CREDIT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (a) of section 6J of Chapter 62 the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the definition of “Certified rehabilitation” the following definition:-

“Gateway municipality”, any city or town that according to the United States census has: i) a population greater than 35,000 persons; ii) a median household income below the state average; iii) a per capita income below the state’s average; and iv) an educational attainment rate of a city or town below the state’s average with a minimum attainment of a bachelor’s degree or higher.

SECTION 2. Paragraph (1) of subsection (b) of said section 6J of chapter 62 of the General Laws, as so appearing, is hereby amended by striking subparagraph (i) and inserting in place thereof following subparagraph:

- (i) The commissioner, in consultation with the Massachusetts historical commission, shall authorize annually, January 1, 2010 under this section together with section 38R of chapter 63, an amount not to exceed \$100,000,000. Said amount shall increase to an amount not to exceed \$150,000,000 calendar year 2011; an amount not to exceed \$200,000,000 in calendar year 2012; and continue indefinitely at an amount not to exceed \$200,000,000. The

Massachusetts historical commission shall determine the criteria for eligibility for the credit, the criteria to be set forth in regulations promulgated under this section; but, at least 25 per cent of the tax credits shall be allowed to projects that contain affordable housing whenever possible and consistent with the criteria. Further, at least 50 per cent of the tax credits shall be allowed to projects in gateway municipalities.

SECTION 3. Subsection (a) of section 38R of Chapter 63 the General Laws, as so appearing, is hereby amended by inserting after the definition of "Certified rehabilitation" the following definition:-

"Gateway municipality", any city or town that according to the United States census has: i) a population greater than 35,000 persons; ii) a median household income below the state average; iii) a per capita income below the state's average; and iv) an educational attainment rate of a city or town below the state's average with a minimum attainment of a bachelor's degree or higher.

SECTION 4. Paragraph (1) of subsection (b) of Section 38R of chapter 63 of the General Laws, as so appearing, is hereby amended by striking subparagraph (i) and inserting the following subparagraph:

- (i) The commissioner, in consultation with the Massachusetts historical commission, shall authorize annually, beginning January 1, 2010 under this section together with section 6J of chapter 62, an amount not to exceed \$100,000,000. Said amount shall increase to an amount not to exceed \$150,000,000 in calendar year 2011 and an amount not to exceed \$200,000,000 in calendar year 2012; and continue indefinitely at an amount not to exceed \$200,000,000. The Massachusetts historical commission shall determine the criteria for eligibility for the credit, the criteria to be set forth in regulations promulgated under this section; but, at least 25 per cent of the tax credits shall be allowed to projects that contain affordable housing whenever possible and consistent with the criteria. Further, at least 50 per cent of the tax credits shall be allowed to projects in gateway municipalities.

SECTION 5. This act shall take effect on January 1, 2010.

